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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA,
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10 Plaintiff,

Case No. CR06-409-JLR

11 v.

12 LARRY LEWIS PORTER,
Defendant.

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

13 INTRODUCTION

14 I conducted a hearing on alleged violations of supervised release in this case on June 7,
15 2011. The defendant appeared pursuant to a warrant issued in this case. The United States was
16 represented by Steven Masada, and defendant was represented by Paula Deutsch. Also present
17 was U.S. Probation Officer Jennifer Van Flandern. The proceedings were digitally recorded.

18 SENTENCE AND PRIOR ACTION

19 Defendant was sentenced on April 16, 2007, by the Honorable James L. Robart for Mail
20 Fraud. He received 37 months of detention and 3 years of supervised release.

21 PRESENTLY ALLEGED VIOLATIONS

22 In a petition dated April 6, 2011, U.S. Probation Officer Jennifer Van Flandern alleged that
23 defendant violated the following conditions of supervised release:

PROPOSED FINDINGS OF FACT AND
DETERMINATION AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE - 1

1 1. Committing the crime of fraud against the Veterans Administration on or about
2 October 27, 2010, through December 16, 2010, in violation of the general condition that he not
3 commit a federal, state, or local crime.

4 2. Using cocaine and alcohol on February 23, 2011, in violation of standard condition
5 7.

6 3. Failing to participate in a program for chemical dependency treatment, as directed
7 by the probation office, since February 23, 2011, in violation of the special condition requiring
8 he do so.

9 4. Using cocaine on April 4, 2011, in violation of standard condition 7.

10 FINDINGS FOLLOWING EVIDENTIARY HEARING

11 Defendant admitted the above violations, waived any hearing as to whether they occurred,
12 and was informed the matter would be set for a disposition hearing on September 6, 2011, at
13 11:15 a.m. before District Judge James L. Robart.

14 RECOMMENDED FINDINGS AND CONCLUSIONS

15 Based upon the foregoing, I recommend the court find that defendant has violated the
16 conditions of his supervised release as alleged above, and conduct a disposition hearing.

17 DATED this 7th day of June, 2011.

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21 BRIAN A. TSUCHIDA
22 United States Magistrate Judge
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